

## UNITED STATES DISTRICT COURT

United States Courts  
Southern District of Texas  
FILED

for the

District of

MAR 11 2020

Division

David J. Bradley, Clerk of Court

J. B. Black

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

HARRIS COUNTY DISTRICT  
ATTORNEY'S OFFICE, Aaron Burdette

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

(to be filled in by the Clerk's Office)

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

## NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Defendant No. 3

Name AARON BURDETTE  
 Job or Title (if known) ASSISTANT DISTRICT ATTORNEY  
~~Shield Number~~ TBC # 24055228  
 Employer HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE  
 Address 500 JEFFERSON STE. 600  
HOUSTON TX 77002  
City State Zip Code  
☒ Individual capacity ☐ Official capacity

Defendant No. 4

Name \_\_\_\_\_  
 Job or Title (if known) \_\_\_\_\_  
 Shield Number \_\_\_\_\_  
 Employer \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip Code  
☐ Individual capacity ☐ Official capacity

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)  
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

CIVIL RIGHTS AMENDMENT 8th

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

C. What date and approximate time did the events giving rise to your claim(s) occur?

ON or before or after 11-4-2019

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See ATTACHED

#### V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

MENTAL anguish, EMOTIONAL DISTRESS, Depression

#### VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Actual Damages 300,000

Punitive Damages 300,00

False INCARCERATION, lost wages, Humiliation due  
to defendant's FUNDAMENTALLY defective indictments  
to False IMPRISONMENT.

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

E. If you did file a grievance:

1. Where did you file the grievance?

N/A

2. What did you claim in your grievance?

N/A

3. What was the result, if any?

N/A

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

N/A

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition.

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: \_\_\_\_\_

Signature of Plaintiff

*J. B. Black*

Printed Name of Plaintiff

*J. B. BLACK*

Prison Identification #

*01214826*

Prison Address

*1200 BAKER ST*

*CELL Block 6M1A*

*HOUSTON*

*TEXAS*

*77002*

City

State

Zip Code

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

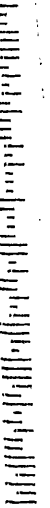
Telephone Number

E-mail Address

On or before and after, Nov. 4, 2019, the District Attorney's office and Aaron Burdette (Defendant) charged me with false statement to obtain credit, CASE # 1601567 in which my bond was \$10,000, in which I posted bond. Then they raised my bond to amount of \$200,000 in which it is too excessive of the allege charge. Also, at my bond hearing the District Attorney (Aaron Burdette), told my Attorney, John Pertuzzi: Let's see if you're Boy (racial slur) make that bond. The District Attorney (Aaron Burdette), Defendant(s) was able to get bond that high off some fundamentally defective Indictments, CASE # 1556196 which has a name of James Black AKA JB Black, a name James Bernard Black. My name is JB Black and some fraudulent indictment that wasn't granted by Judge, CASE # 1629964. Motion to Amend Indictment and 2<sup>nd</sup> Motion to Amend Indictment was never granted or denied by Judge, nor signed. Also they put me on ankle monitor, when my wife and kids live here and I have ties to the community, when I have lived here for the last 50 years and own a business here in Houston, Texas.

HARRIS COUNTY SHERIFF'S OFFICE JAIL  
Name: J. B. Black Cell: 6M2A  
ID#: 01214896  
Street: 1200 Baker St  
HOUSTON, TEXAS 77002

**aramark**



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Southern District of Texas  
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David J. Bradley, Clerk of Court



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Clerk of Court

P.O. Box 61010  
Houston, TX 77208